

AE

FILEDUnited States District Court
Northern District of IllinoisJenssen Clark
Plaintiff

JUN 11 2007

NR

JUN 11 2007

MICHAEL W. BOBBINS
CLERK, U.S. DISTRICT COURT

v.

University of Illinois at Chicago
Board of TrusteesRobert True
Ruth Kross
Jim O'Connor
Prem Jain
Defendants

07CV3281

JUDGE KENNELLY

MAGISTRATE JUDGE ASHMAN

COMPLAINT

On Tuesday, January 16, 2007 at approximately 1:00pm Ruth Kross Patient Service Manager in the Nutritional Service Department verbally and physically assaulted staff member Jenssen Clark. Around 1:00pm I was given permission by the area supervisor to go on break. Just prior to going on my break, I proceeded to bring the remaining pots from the cafeteria to the pot area and while there I picked up a drink so that I could take my break. When I returned to the pot area with the pots I was confronted by Ms. Kross who wanted to know why I had a drink in my hand. I informed her that I was given permission to go on break and just wanted to bring down the cart of dirty pans from the cafeteria to the pot area before I left.

At this point Ms. Kross proceeded to grab my arm and shoved me saying "go ahead on, go ahead on". I asked her why she had to shove me when I was explaining to her why I had the drink. I also expressed to her that she should never place her hands on me and that she can verify with the area supervisor that I was authorized to go on break. We found the area supervisor who confirmed that I was to go on break at which point I proceeded to do so. Prem Jain and other employees were there to witness the actions of Ms. Kross. This is the third occasion that I have been verbally assaulted by Ms. Kross and each time they have escalated leading to this latest physical assault.

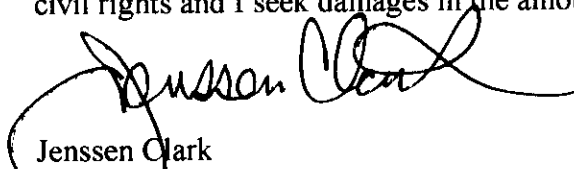
I have corresponded with the union several times regarding the verbal abuse and harassment I have received from Ms Kross and the department. More specifically the incident on 9/11/06 where Ms. Kross asked me in an extremely rude way, and in front of another coworker and a new manager, "what was in my mouth". The second incident occurred on 11/30/06 where Ms. Kross yelled and screamed at me in front of other coworkers and customers for allegedly arriving at 9:15am for a 6:00am scheduled arrival. Both these incidences were reported to the union and presumably addressed. Her behavior was unacceptable and demeaning then and continues to be so to this day.

In addition to these instances, I am continually being abused and harassed regarding my schedule and issued letters of warnings without just cause. Changes are continuously

being made to the schedule that were made without my knowledge and are not communicated to me until the day of or not at all. The Manager, Ruth Kross, is scheduling me to work multiple schedules which violates the service and maintenance bargaining agreement. I am the only individual who is scheduled at 3 or 4 different times during a week. As well, I am the only individual who is schedule to work in all the various areas of the cafeteria. These changes and schedule variances are against the union contract. Finally, I was not paid for 8 hours of sick benefits while on FML (Family Medical Leave) time covering January 4, 2007 thru January 16, 2007.

The court has jurisdiction over this case because ~~the U.S. government is a defendant and~~ it involves a federal law.

I would like the courts to find the defendants guilty of discrimination and violating my civil rights and I seek damages in the amount of thirty million (\$30,000,000) dollars.



Jenssen Clark
P.O. Box 377543
Chicago, IL 60637

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐

FEPA

☒

EEOC

440-2007-03759**Illinois Department Of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Jenssen Clark

Home Phone (Incl. Area Code)

(312) 593-9678

Date of Birth

Street Address

City, State and ZIP Code

P. O. Box 377543, Chicago, IL 60637

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

UIC MEDICAL CENTER

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(312) 996-7000

Street Address

City, State and ZIP Code

1740 W. Taylor Street, Chicago, IL 60612

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒

RACE

☐

COLOR

☒

SEX

☐

RELIGION

☐

NATIONAL ORIGIN

☐

RETALIATION

☒

AGE

☐

DISABILITY

☐

OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

06-28-2006**01-23-2007**☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was hired by Respondent on August 28, 2005. My most recent position is Food Service Laborer. From June 28, 2006, through the present, I have been subjected to unequal terms and conditions, such as different start times and disciplined.

I believe that I have been discriminated against because of my race, Black, and my sex, male, in violation of the Civil Rights Act of 1964, as amended, and my age, 41 (D.O.B. 8/8/1965), in violation of the Age Discrimination in Employment Act of 1967, as amended.

RECEIVED EEOC**MAR 15 2007****CHICAGO DISTRICT OFF**

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Mar 15, 2007

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

440-2007-03759

Illinois Department Of Human Rights

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Jenssen Clark

Home Phone (Incl. Area Code)

(312) 593-9678

Date of Birth

Street Address

City, State and ZIP Code

P. O. Box 377543, Chicago, IL 60637

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

UIC MEDICAL CENTER

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(312) 996-7000

Street Address

City, State and ZIP Code

1740 W. Taylor Street, Chicago, IL 60612

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

06-28-2006

01-23-2007

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was hired by Respondent on August 28, 2005. My most recent position is Food Service Laborer. From June 28, 2006, through the present, I have been subjected to unequal terms and conditions, such as different start times and discipline. Since in or around January of 2005, I have repeatedly made protected complaints to Respondent of the difference in treatment. Most recently, on or about January 16, 2007, I filed an internal complaint of discrimination. Subsequent, I have been subjected to disciplinary actions, verbal abuse, and physical abuse.

I believe that I have been discriminated against because of my race, Black, my sex, male, and retaliated against for protected complaints in violation of the Civil Rights Act of 1964, as amended. I also believe that I have been discriminated against because of my age, 41 (D.O.B. 8/8/1965), in violation of the Age Discrimination in Employment Act of 1967, as amended.

MAR 22 2007

CHICAGO DISTRICT OFC

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Mar 15, 2007

Date

Charging Party Signature